

APHIS DIRECTIVE 4230.1 4/22/94

ESTABLISHMENT OF CHILD CARE CENTERS AT APHIS WORKSITES

1. PURPOSE

This Directive establishes the framework for the development of child care centers at Animal and Plant Health Inspection Service (APHIS) worksites. This Directive also gives policy and procedures for worksites to follow to gain Agency support.

2. AUTHORITIES

- a. 40 U.S.C. 490b, commonly known as the "Tribble Amendment,"
December 22, 1987, and amended October 6, 1992.
- b. The Federal Register, Part IV, General Services Administration (GSA) Public
Building Services, Vol. 54, No. 210, November 1989, 101-17.209.
- c. Standards of Ethical Conduct for Employees of the Executive Branch, 5 CFR Part
2635, effective February 3, 1993.
- d. U.S. Comptroller General Decision, dated September 25, 1992, number B-247730.
- e. U.S. Department of Agriculture (USDA) Office of General Counsel, dated August
9, 1993, "APHIS Participation in Development of Child Care Centers."

3. BACKGROUND

The passage of the Tribble Amendment authorizes Federal agencies charged with the assignment of space in Federal buildings to allot space in the buildings for child care centers which provide care for infants, toddlers, preschool, and school aged children. It also provides guidelines on the items and services agencies can provide to child care centers. In addition, the law authorizes the Administrator of (GSA) to provide guidance, assistance, and oversight to Federal agencies for the development and operation of child care centers located in GSA-controlled space through the use of GSA licensing agreements.

In July 1991, APHIS announced the Work * Family * Life (WFL) Program. Since then, many sites have expressed interest in child care centers at their work locations. This Directive provides guidance to Agency work locations to help ensure that appropriate requirements are met.

Federal agencies cannot use funds for the establishment of elder care centers as stated in the U.S. Comptroller General Decision. However, funds may be used for undertaking employee referral and counseling programs. This Directive does not pertain to elder care programs or centers.

4. POLICY

APHIS will support the establishment of child care centers at work locations for APHIS employees, when financially feasible, and when management decides that it supports the mission of the Agency, by:

- a. Submitting a request to GSA, for GSA assigned locations; and to the Field Servicing Office (FSO), Realty Section, for APHIS-leased or -owned locations.
- b. Authorizing managers to commit funds, as authorized by the Tribble Amendment, in support of a center.
- c. Working with other employers, public and private, as permitted by law and regulation.
- d. Ensuring management commitment and support of planning committees working to establish child care centers.

5. FINANCIAL CONSIDERATIONS

- a. If the center is to be built on GSA-assigned space, GSA may:
 - (1) Pay for some or all of the build out, based on the type of center and other considerations; and
 - (2) Charge rent, utilities, and escrow for replacement of equipment to USDA, Office of Operations (OO), who will pay these charges from RENT. If, at a later date, OO passes these charges to APHIS, the Budget and Accounting Division will distribute costs based on guidance from management.
- b. If the center is to be built on APHIS-owned or -leased space:
 - (1) GSA may contribute some of the build out, based on the type of center and other considerations; and

- (2) APHIS will pay for utilities, escrow for replacement of equipment, and lease costs, if any. If more than one APHIS suborganization uses the center, cost distribution will be negotiated. If other Federal agencies are involved APHIS will negotiate an Interagency Agreement with those agencies.
- c. If the center is a privately led consortium in which APHIS participates, managers/supervisors are advised that budget planning may not be short term, e.g., 1 or 2 fiscal years, since leasing arrangements through GSA require long-term, continuous commitment. APHIS funding support always is subject to approval by an authorized management official. Any financial commitment to a privately led consortium should be tied to a memorandum of understanding giving a certain number of children of APHIS employees priority placement.

6. CHILD CARE CONSORTIUMS

- a. There are two basic types of consortium efforts. The first is a Federally led consortium. This type occurs when Federal agencies coordinate and establish a center operated by a Board of Directors composed of, but not limited to, Federal employees. The center is located on Federally owned or leased space. An outside vendor can be hired to manage the day-to-day operations of the center. The center's management reports to the Board of Directors and has the professional expertise to manage day-to-day activities. The Board focuses on fundraising, publicity, and tuition assistance.

APHIS employees may participate on consortium Boards of Directors, especially when memoranda of understanding among participating Federal agencies give priority consideration to children of Agency employees.

- b. The second is a private sector consortium. This type occurs when a private non-Federal entity coordinates the establishment and manages the day-to-day operations of the center which is NOT located on Federally owned or leased space.

APHIS may contribute resources for leasing arrangements through GSA if the private consortium will give priority consideration to children of Agency employees. An SF-81, Request for Space, should be submitted to GSA to lease space in the center for children of Federal employees and a memorandum of understanding completed between APHIS and the non-profit corporation of the child care center.

APHIS employees may participate on Boards of Directors, when there is a privately led consortium, especially when memoranda of understanding give priority consideration to children of Agency employees.

7. PANEL MEMBERSHIP AND FUNCTIONS

- a. Supervisors should permit employees to volunteer and participate in panels or workgroups seeking to establish child care centers. Management at local work locations will decide the size and membership of panels in consultation with the activity/unit head, WFL Council, and labor organizations (where applicable).
- b. The panel will function with the approval of the Agency. Therefore, if supervisory approval is granted, the work of the panel to establish a child care center can be performed on official time and the panel can be provided the resources it needs to achieve its goals.
- c. When the panel incorporates as a private, non-profit corporation to operate the child care center, the activities of the Board of the corporation must be conducted during non-official time. The Board will not use official resources to achieve its goals.
- d. Fundraising for these centers is regulated by the Federal Ethics Code, GSA, and the Office of Personnel Management. Information on fundraising can be obtained from the WFL Council.

8. RESPONSIBILITIES

- a. The Administrator will sign memoranda of understanding among agencies and consortium parties gaining priority placement for children of APHIS employees.
- b. The Dependent and Family Care Specialist, Human Resources Division, will:
 - (1) Coordinate reception of all appropriate internal approvals.
 - (2) Serve as liaison with GSA, with guidance from the Management Services Division (MSD) and FSO.
 - (3) Serve as the primary interface with the WFL Council and the requesting work location.
 - (4) Function as the program manager for all projects relating to child care centers.
 - (5) Be responsible for written Agency guidance relating to child care centers.
- c. Managers/Supervisors will:
 - (1) Allow needed time, whenever possible, for employees to form panels in establishing a child care center.

- (2) If the center is part of a privately led consortium, determine the availability of funds, and where feasible, commit resources as authorized by the Tribe Amendment.
- d. The WFL Council will:
 - (1) Provide guidance for establishing child care centers.
 - (2) Provide necessary training to panels.
 - (3) Provide coaching and information on additional resources available to worksites in the establishment of child care centers.
- e. The Local Work Location Panel will:
 - (1) Decide whether to request a child care center.
 - (2) Follow guidance provided by this Directive, the WFL Council, MSD, FSO/Realty, and GSA.

9. PREPARATION FOR FEDERALLY LED CONSORTIUMS

If the center will be a Federally led effort, a work location will prepare the materials outlined in this section. The WFL Council, MSD, and FSO will review the request. The unit/activity head of the requesting unit will approve the package. Headquarters requests will be sent by MSD to USDA, OO, to forward to GSA. Field requests will be sent by FSO to GSA.

If GSA approves the request, they will provide space, standards for alterations of space, and contractors to do construction. Negotiations and work agreements to renovate or build out space are between the local worksite and GSA.

APHIS offices will follow the steps listed below when requesting the establishment of a Federally sponsored child care center:

- a. Establish a local work location panel to study the potential for establishing space for a child care center.
- b. Select a consultant (optional). Funds may be available through the WFL Council. Work locations may decide to work with a consultant to determine if there is a need for a center at their worksite. Panels should contact the Dependent and Family Care Specialist for a list of potential consultants and to determine the costs involved with this option.

- c. Investigate the possibility of a shared or consortium effort to provide a larger pool of employees for support. The larger the pool, the more likelihood of support by GSA. The group can be made up of private entities as well as other public agencies. At least 50% of the children using a center developed with GSA must be children of Federal employees. Federal employees have priority on waiting lists.
- d. Complete a survey to determine the number of interested participants in a child care center. This will help plan space needs for the facility based on the number of children that may attend. Sample questionnaires to conduct a survey are available from the WFL Council.
- e. Investigate other child care options in the immediate vicinity, either onsite or nearby, that would serve the needs of the work location. This should include a cost analysis to ensure the center can compete with a nearby facility. Sample forms are available from the WFL Council.
- f. Determine whether qualified contractors are available for the geographical area in which the worksite is located.
- g. Determine start-up and recurring costs of the child care center.
- h. Define the operational hours for the child care center and provide the levels of service, such as: full-time, part-time, intermittent care; sick care; summer programs; before/after school care; and emergency or "drop-in" care.
- i. Determine the best space to be allocated for the child care center in cooperation with MSD, Policy and Safety Management Branch, and the WFL Council. The amount of square footage needs to be defined as required by code requirements and local, county, and State laws. Facilities must be located directly on GSA owned or leased space. Final space allocation will be determined by GSA. If space is owned by the Agency or the Department, GSA has the option NOT to support the effort. The panel should consult GSA's Facility Design Guide, available from the WFL Council.
- j. Send proposals to the WFL Council for review. If the proposal is for a field location, the WFL Council will share it with FSO. If the proposal is for the metropolitan Washington, D.C. area, it will be shared with MSD to review space and facility management issues before receiving final approval from the activity/unit head.

10. PREPARATION FOR PRIVATELY LED CONSORTIUMS

If the center will be part of a privately led consortium, a local work location panel will prepare the materials outlined in this section. The WFL Council will review the request. The local work site will request approval following normal channels.

APHIS offices will follow the steps listed below when requesting participation in a privately led child care center:

- a. Establish a panel to study the potential for participating in the privately led child care center.
- b. Complete a survey to determine the number of interested participants in a child care center. This will help plan the potential space needs for children of APHIS employees at the facility. Sample questionnaires to conduct a survey are available from the WFL Council.
- c. Investigate other child care options in the immediate vicinity, either onsite or nearby, that would serve the needs of the work location. Sample forms are available from the WFL Council.
- d. Determine funds available for leasing space through GSA at the child care center. Work with the WFL Council to identify how many children to request priority placement for and how much money to contribute per child.
- e. Obtain consent from the private, non-profit company to participate and obtain membership on the Board of Directors. Work with the Board to define operational hours and levels of service, such as: full-time, part-time, intermittent care; sick care; summer programs; before/after school care; and emergency or "drop-in" care beneficial to APHIS employees.
- f. Send draft forms to be submitted to GSA and draft memorandums of understanding with the privately led consortium Board of Directors to the WFL Council for review.

11. FUTURE CONSIDERATIONS

The process of establishing a center can take 2-3 years. There are many variables that are hard to control. After the request is forwarded to GSA and is approved, the following issues, although not all-inclusive, need to be planned and completed by the local panel:

- a. What to Look for in a Facility.
- b. Federal Protection Security Guidelines for Child Care Facilities.
- c. Licensing.

- d. Selecting the Child Care Center Provider.
- e. Quality Child Care Checklist.
- f. Child Abuse Awareness.
- g. Financial Considerations.
- h. Insurance.
- i. Incorporation (includes by-laws).
- j. Facility Equipment.
- k. Equipment Vendor's List.
- l. Equipment Safety Precautions.
- m. Board/Parent Association Responsibilities.
- n. Accreditation by the National Association for the Education of Young Children.
- o. License agreement with GSA.

12. INQUIRIES

Contact the WFL Council member representing your unit or the Dependent and Family Care Specialist through FTS2000 E-mail on !A343FAMILY or by calling through FTS2000 on 301-436-6658 for assistance.

/s/

Acting Deputy Administrator
for Management and Budget